

**From:** Covert, Joseph  
**To:** "Stuart, Paul E"; Lisa Duetsch  
**Subject:** RE: Brenda Kelly-Plum Creek DOL-12/10/2013  
**Date:** Monday, September 15, 2014 8:26:00 AM

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Paul, our policy is not a "follow form" policy and it contains an exclusion for UM/UIM benefits. I am working with our underwriter **to confirm we obtained the appropriate rejection forms** and will be issuing a coverage position shortly.

**From:** Stuart, Paul E [mailto:[Paul.Stuart@ACEGroup.com](mailto:Paul.Stuart@ACEGroup.com)]  
**Sent:** Wednesday, September 10, 2014 10:25 AM  
**To:** Covert, Joseph; Lisa Duetsch  
**Subject:** RE: Brenda Kelly-Plum Creek DOL-12/10/2013

They are \$1MM. Question, does the excess policy follow form? I was asked to confirm if there is UM/UIM coverage under the excess policy.

Thanks,

Paul Stuart  
Claims Director  
**ACE North American Claims**  
Direct: 818-428-3767  
Fax: 866-635-5687  
[Paul.Stuart@acegroup.com](mailto:Paul.Stuart@acegroup.com)

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Scranton, PA 18505-0530

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**From:** Covert, Joseph [mailto:[JOSEPH.COVFRT@LibertyMutual.com](mailto:JOSEPH.COVFRT@LibertyMutual.com)]  
**Sent:** Wednesday, September 10, 2014 6:07 AM  
**To:** Stuart, Paul E; Lisa Duetsch  
**Subject:** RE: Brenda Kelly-Plum Creek DOL-12/10/2013

Thanks Paul. Please confirm your limits, I understand them to be \$1 Million

**From:** Stuart, Paul E [mailto:[Paul.Stuart@ACEGroup.com](mailto:Paul.Stuart@ACEGroup.com)]  
**Sent:** Friday, September 05, 2014 5:13 PM  
**To:** Covert, Joseph; Lisa Duetsch  
**Subject:** RE: Brenda Kelly-Plum Creek DOL-12/10/2013

Joseph,

The primary policy has UM/UIM limits equal to the BI limits. There was not a coverage letter sent.

Please let me know if you need anything else.

Thanks,

Paul Stuart  
Claims Director  
**ACE North American Claims**  
Direct: 818-428-3767  
Fax: 866-635-5687  
[Paul.Stuart@acegroup.com](mailto:Paul.Stuart@acegroup.com)

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**From:** Covert, Joseph [<mailto:JOSEPH.COVERT@LibertyMutual.com>]  
**Sent:** Wednesday, August 27, 2014 12:11 PM  
**To:** Lisa Duetsch; Stuart, Paul E  
**Subject:** RE: Brenda Kelly-Plum Creek DOL-12/10/2013

Thanks Lisa.

Paul, Liberty Mutual has the umbrella policy above your primary coverage. Have you completed your coverage investigation and determined if your policy provides UM/UIM benefits for this loss? Please forward a copy of your letter. Thanks!

Best regards,

Joseph P. Covert C.P.C.U, ARM  
Complex Claims-Specialty Claims Unit  
Commercial Market Liability Claims  
Mail Stop 01F  
Liberty Mutual Insurance  
100 Liberty Way  
Dover, NH 03820

Direct Dial - 603-970-7774  
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**From:** Lisa Duetsch [mailto:[Lisa.Duetsch@plumcreek.com](mailto:Lisa.Duetsch@plumcreek.com)]  
**Sent:** Wednesday, August 27, 2014 3:08 PM  
**To:** Covert, Joseph  
**Subject:** RE: Brenda Kelly-Plum Creek DOL-12/10/2013

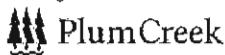
Hi Joseph –

Attached, please find a copy of the primary auto policy. The contact info for the ACE adjuster is:

**Paul Stuart**  
ACE  
(818) 428-3767 Work  
Paul.Stuart@ACEGroup.com

Let me know if you need anything else.

Lisa Duetsch  
Manager – Risk & Insurance



P: 406.892.6113  
F: 406.892.6177

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**From:** Covert, Joseph [mailto:[JOSEPH.COVERT@LibertyMutual.com](mailto:JOSEPH.COVERT@LibertyMutual.com)]  
**Sent:** Wednesday, August 27, 2014 7:20 AM  
**To:** Lisa Duetsch  
**Subject:** Brenda Kelly-Plum Creek DOL-12/10/2013

Lisa:

I am following up with you to the phone call I made last week.

You and I spoke early in August regarding this claim for uninsured motorist benefits under the umbrella policy issued by Liberty Mutual. Since our conversation, I have had a number of request from plaintiff counsel Robert Stein.

I have provided a copy of our policy to him for his review. We have also retained coverage counsel to conduct a choice of law analysis. As you know, the loss occurred in New Hampshire. Our policy was

issued to Plum Creek at its corporate offices in Washington State. I expect to have the choice of law analysis shortly and will issue a formal coverage position letter at that time.

In the meantime, I need to see the coverage position taken by your primary insurer, along with a copy of their policy. Please provide both if you have them. If you don't, please provide the name and contact information for the claim handler on the primary policy and I will follow-up with them directly. I look forward to your response.

Best regards,

Joseph P. Covert C.P.C.U, ARM  
Complex Claims-Specialty Claims Unit  
Commercial Market Liability Claims  
Mail Stop 01F  
Liberty Mutual Insurance  
100 Liberty Way  
Dover, NH 03820

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E-mail: [Joseph.Covert@LibertyMutual.com](mailto:Joseph.Covert@LibertyMutual.com)

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